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GENERAL DEBATE

Letter dated 29 September 1997 from the Permanent Representative of Chile to the United Nations addressed to the President of the General Assembly

I have the honour to address you in relation to agenda item 9, "General debate" of the fifty-second session of the General Assembly.

Under this agenda item, the President of Bolivia, Mr. Hugo Banzer Súarez, made reference in his statement to matters which my delegation believes require important clarification.

In this regard, I have the honour to enclose the attached document, which contains the position of the Government of Chile on the above-mentioned subjects raised by General Banzer (see annex).

I should greatly appreciate it if the present letter and its annex could be circulated as soon as possible as a document of the General Assembly under agenda item 9.

(Signed) Juan SOMAVIA
Ambassador
Permanent Representative of Chile

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Annex

Reply by the delegation of Chile to the statement delivered by the President of Bolivia on 29 September 1997 during the general debate at the fifty-second session of the General Assembly

[Original: Spanish]

The delegation of Chile deems it necessary to make a number of clarifications regarding what was said by the President of Bolivia, Mr. Hugo Banzer Súarez, in his statement before the General Assembly on 29 September 1997.

In the first place, it is appropriate to point out that the United Nations, like any other international forum, has absolutely no jurisdiction or mandate to consider issues relating to the sovereignty of Member States. For this reason, General Banzer's remarks were not made in the proper forum. They were also not made at the right time, since the border treaty between Chile and Bolivia dates back almost a century.

It is well known that the inviolability of treaties is a fundamental principle of the legal order in the Americas and the basis of the peace and understanding that prevail in our continent. In this connection, Chile has invariably maintained that the issue Bolivia has raised was definitively and totally resolved through the signature of the Treaty of Peace, Friendship and Commerce of 1904, which was validly negotiated and freely approved by both countries and is fully in force today. That Treaty was signed 20 years after the end of the armed conflict, with no pressure of any kind, and received the broad backing of the Bolivian Congress and public opinion.

The foregoing is a reality of which both Bolivia and the rest of the international community are perfectly well aware, so that all that is needed is to refute the specific points raised by Bolivia.

The Government of Chile will not alter its resolve to continue promoting with Bolivia the understanding, cooperation and development the two nations have embarked upon, which we are ready to expand further in a modern spirit of renewal.

Since 1990, from the advent of the democratic regime, Chile and Bolivia have been able to make progress in a positive dialogue which has found expression in various initiatives. We may mention in this connection the establishment of a mechanism for periodic political consultations and the signing of an economic complementarity agreement, along with agreements for the mutual promotion and protection of investments, export promotion and phytosanitary regulation. The two countries are also participating in the conduct of projects aimed at establishing bi-oceanic corridors; for the first time in our history, there is today a modern highway linking the cities of La Paz and Arica, and the concession for the Chilean section of the railway covering the same route has been awarded to a Bolivian company.

Joint initiatives of this kind are the road to follow, and Chile is prepared to do so. Insistence on ideas that are totally remote from the law and from reality will not lead to the development and understanding that our peoples deserve.

Reference must also be made to another point taken up by the President of Bolivia, namely the issue of anti-personnel mines.

Like the majority of countries in the hemisphere and particularly in the Southern Cone of South America, Chile was drawn into the use of this type of defensive weapon by tensions suffered in past times. Today we condemn it for its inhuman nature. This happened in the 1970s, a period of lost democracy in the region, in which almost all the countries were governed by military regimes.

This is why Chile, like the vast majority of countries, reacted with strong support for the initiatives designed to eliminate weapons of this type from the face of the earth, and participated actively in the process that has recently been taking place in the international community.

For this reason, the Government of Chile has arranged for the conduct of a complete survey of anti-personnel mines in our territory; this is public knowledge, and gives an example of transparency which we should very much like to see imitated by all those who have used these weapons.

Chile's commitment to resolving this problem has been clear and categorical. For more than 10 years, we have been applying a moratorium on the production and export of these weapons, and the United Nations was duly notified of this commitment; we co-sponsored the resolution adopted in 1996 by the General Assembly at its fifty-first session, calling for an end to the production, stockpiling and use of anti-personnel mines; lastly, we have involved ourselves in the Ottawa process, which recently culminated in Oslo with the initialling of a Convention for the elimination of these weapons, which will be signed in December and to which we shall become a Party, responsibly assuming the obligations contained therein, within the established time limits.

The foregoing is merely one more expression of the general policy pursued by Chile in matters related to disarmament. In this context, we have promoted the Mendoza Accord whereby Argentina, Brazil and Chile banned chemical and biological weapons in the Southern Cone; we have acceded to the amended Treaty of Tlatelolco and to the Non-Proliferation Treaty; we are a full party to the Convention on Chemical Weapons; we have become a member of the Conference on Disarmament; we have signed the Comprehensive Nuclear Test-Ban Treaty; we are participating actively in the revision of the Convention of Biological Weapons; and we organized, in 1995, the first Regional Conference on Confidence- and Security-Building Measures, among many other initiatives.

Thus we cannot but regret the misapprehension under which Bolivia appears to be labouring with regard to our public commitment to the elimination of anti-personnel mines.

The world knows Chile's strong commitment to the cause of peace and development, as well as to the work of the United Nations in general. For the same reason, we reject attempts to raise in the General Assembly issues that are out of place or run counter to the most elementary principles of international law and healthy coexistence among nations.